

## Town Council Meeting: 11 March 2013



Town of Garrett Park  
PO Box 84  
4600 Waverly Avenue  
Garrett Park, MD 20896

Regular Meeting of Town Council  
Garrett Park Town Hall  
10814 Kenilworth Avenue  
Garrett Park, MD 20896

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### MINUTES

**Call to Order:** Mayor Benjamin called the meeting to order at 7:30 pm. Present were Councilmembers Flynn, Mandel, Petito, Schulp, and Wegner. Also present was Town Administrator Pratt, and Randy Auerbach of the *Bugle*.

**Approval of Agenda:** Mayor Benjamin asked for approval of the agenda as posted, with the addition of an executive session after the close of the meeting in order to discuss a personnel matter. The agenda was approved as revised without objection.

#### Action

- Introduction of Ord. 2013-02: FY 2014 Operating and Capital Budget – Mayor Benjamin presented the budget to be introduced and the related resolution (attached to these minutes), noting a constant tax rate despite anticipated reductions in the Town's income. Archives Committee Chair Charlie Snyder addressed the Council regarding the Archives budget. There was extended discussion.

Councilmember Wegner **MOVED**

That the Council approved of the resolution introducing the FY 2014 operating and capital budgets as distributed. Councilmember Flynn seconded the motion, which, after brief discussion, was **PASSED** unanimously.

Confirmation of Appointment of Election Judges – Mayor Benjamin asked that the Council affirm his appointment of residents Natalie Grande, Suzanne Grefsheim, and Cliff Tarpay as judges for the 2013 and 2014 Town Elections.

Councilmember Wegner **MOVED**

That the Council affirm the Mayor's appointment of Judges of Election. The motion was seconded by Councilmember Petito, and was **PASSED** unanimously.

- Positions on MD Public Service Commission and municipal advertising proposed legislation – Mayor Benjamin presented two resolutions regarding legislation before the Maryland legislature (attached to these minutes) and reviewed them with the Council. There was brief discussion.

Councilmember Shulp **MOVED**

That the Council approve the resolution on HB1136 as presented by the Mayor. Councilmember Wegner seconded the motion, which **PASSED** unanimously.

Councilmember Flynn **MOVED**

That the Council approve the resolution on HB 741 and HB 1129 as presented by the Mayor. Councilmember Wegner seconded the motion, which **PASSED** unanimously.

### **Discussion**

- Scheduling Two Executive Sessions Involving the Town Manager Search – Councilmember Flynn updated the Council on the search for the new Town Manager, which has closed with 64 applications from 27 states. Councilmember Flynn reminded the Council that the Search Committee would meet with the Town's consultant on March 16<sup>th</sup> at 8:30 pm to select the qualified candidates it would submit to the full Council and Mayor on March 20<sup>th</sup> at 7:30 pm to review these candidates, select those the Council wished to interview, and set the dates for these interviews.
- Consideration of Revision of Parking Ordinance Process – Mayor Benjamin and Councilmember Wegner discussed the current method of regulating parking with the Council, noting that it made the setting of temporary parking restrictions in response to local events difficult. It was the sense of the Council that this was an important manner that the Council should take up after the May election.

### **Town Administrator's Monthly Financial Report – Questions or Comments**

#### **Executive Session: Councilmember Wegner **MOVED****

That the Council go into Executive Session after the close of the regular meeting in order to discuss a personnel issue (form attached to these minutes). The motion was seconded by Councilmember Flynn and was PASSED unanimously.

**Adjournment:** The meeting was adjourned at 8:45 pm.

Respectfully submitted,

[TOWN SEAL]

Edwin Pratt, Jr., Clerk-Treasurer

**Town of Garrett Park  
Ordinance 2013-2  
Fiscal Year 2014 Capital and Operating Budgets  
Introduced March 11, 2013**

**Whereas**, the Garrett Park Town Council has reviewed revenues and expenditures proposed by the Mayor and Town Administrator for Fiscal Year 2014; and

**Whereas**, the Council has made adjustments to the proposed budgets to reflect its policy priorities; and

**Whereas**, the Council recognizes the importance of maintaining budget control while retaining flexibility to meet the needs of the Town;

**Now therefore be it resolved**, that the Garrett Park Town Council adopts the attached Fiscal Year 2014 Capital and Operating Budgets; and

**Be it further resolved**, that the Council adopts the budgets at the major category (..0) level, allowing the mayor the discretion to move funds among subcategories of any major category; and

**Be it further resolved**, that the mayor shall have discretion to move up to an aggregate total of one-half of the adopted level from the contingency to any category, provided that the mayor shall inform the Council three days prior to taking such action, explaining the need for doing so, and shall discuss that action with the Council at the next Council meeting; and

**Be it further resolved**, that the FY 2014 Real Property Tax Rate for the Town of Garrett Park be unchanged at 21 cents per \$100 of valuation, that the FY 2014 Personal Property Tax Rate remain unchanged at \$1.00 per \$100 of valuation, and that the 2013 Municipal Refuse Collection Fee be set at \$366 per household.

Adopted by unanimous vote of the Council at their regular meeting on March 11<sup>th</sup>, 2013.

Attest true copy

Edwin Pratt, Jr., Clerk-Treasurer

**Town of Garrett Park  
Resolution  
Supporting HB 1136**

**Whereas**, the Town of Garrett Park has extensive mechanisms in place to communicate with its residents; and

**Whereas**, these means of communication include a Town web site upon which notices of Town actions, pending decisions, meetings of the Council and Town committees, scheduled hearings, and other important matters; and

**Whereas**, these means of communication include a Town list serve upon which these same matters are also posted; and

**Whereas**, these means of communication include physical postings of these same matters upon a bulletin board in the Garrett Park Post Office lobby, which is frequented by residents because the town has no home mail delivery; and

**Whereas**, these means of communication include a town newsletter, The Bugle, within which many of these same matters are included and often expanded upon; and

**Whereas**, many residents belong to the Garrett Park Neighbors list serve which provides an opportunity for residents to comment upon and discuss these matters extensively in an open forum; and

**Whereas**, the Garrett Park Town Council firmly believes that few, if any, residents read the legal notices in the local paper of general circulation; and

**Whereas**, the Garrett Park Town Council believes that advertising certain town issues and pending actions within the legal notices section of a local paper of general circulation, as required by the State of Maryland, serves no productive function and that expenditure of residents' taxes upon such advertising serves no useful purpose;

**Now therefore be it resolved**, that the Garrett Park Town Council supports the provisions of HB 1136 which would allow the town to post notices required by the State of Maryland upon its web site instead of within the legal notices section of a local paper of general circulation; and

**Be it further resolved**, that the Garrett Park Town Council does not support the provisions of HB 1136 which would require annual advertising within the legal notices section of a local paper of general circulation that it posts such notices on the town web site and of the availability of mail delivery of such notices to residents requesting the alternative, and instead respectfully suggests that

providing such notice through the mechanisms listed above be allowed instead;  
and

**Be it further resolved,** that the Garrett Park Town Council does not support the provision of HB 1136 which would exempt the constant yield tax rate hearing notice from the web site notice provision, and respectfully suggests that if the mechanisms listed above are available and used regularly, providing such notice through those mechanisms and to mail subscribers be allowed instead.

Adopted by unanimous vote of the Council at their regular meeting on March 11<sup>th</sup>, 2013.

Attest true copy

Edwin Pratt, Jr., Clerk-Treasurer

**Town of Garrett Park  
Resolution  
Supporting HB 741 and HB 1129**

**Whereas**, it is the responsibility of the Town of Garrett Park to provide for the health, welfare and quality of life of the residents of the town; and

**Whereas**, the provision of basic services, including utilities, is critical to health, welfare, and quality of life; and

**Whereas**, being able to testify meaningfully before the Maryland Public Service Commission on changes proposed by utilities which affect the services provided to residents and the fees paid by the residents; and

**Whereas**, having sufficient time and competence to understand filings by utilities and to prepare responses to those filings is necessary in order to prepare that meaningful testimony; and

**Whereas**, HB 741, being considered by the Maryland State Legislature, changes the notice period for establishing new rates or changing existing rates from 30 calendar days to 22 business days; and

**Whereas**, HB 1129, being considered by the Maryland State Legislature, provides financial assistance to organizations representing the public interest for the costs of legal and technical expertise in preparing testimony to the Public Service Commission;

**Now therefore be it resolved**, that the Council of the Town of Garrett Park indicates its support for HB 741 and HB 1129 and the concepts contained therein; and

**Be it further resolved**, that the Council of the Town of Garrett Park urges the Maryland State Legislature to act favorably upon HB 741 and HB 1129.

Adopted by unanimous vote of the Council at their regular meeting on March 11<sup>th</sup>, 2013.

Attest true copy

Edwin Pratt, Jr., Clerk-Treasurer